

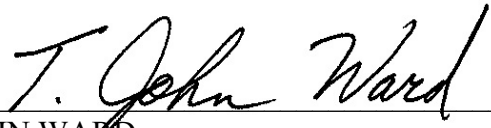
**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GOLDEN HOUR DATA SYSTEMS, INC.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 2:06-CV-381
	§	
EMSCHARTS, INC., ET AL.,	§	
	§	
Defendants.	§	

ORDER

Defendant emsChart's Motion for Summary Judgment (#89) and related briefing is before the court. Pursuant to the hearing on October 23, 2008, Defendant's Motion for Summary Judgment is DENIED. The court has carefully considered the cited portions of the record in light of the applicable law. The court is not persuaded that the defendant has carried its burden to demonstrate the absence of genuine issues of material fact.

SIGNED this 24th day of October, 2008.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE